

	CHILD ABUSE/CHILD NEGLECT/CONTRIBUTING TO THE DELINQUENCY	Operations Order 7.16.00
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1. **CHILD ABUSE - ARIZONA REVISED STATUTE (ARS) 13-3623**

- A. Responding patrol officers should determine if the crime of child abuse has occurred by interviewing the reporting adult, the child (if appropriate), and evaluating all available information.
- Responding officers will file a referral with the [Department of Child Safety](#) (DCS).
- (1) If the crime occurred in another jurisdiction (within Maricopa County), officers will contact the appropriate agency and request that agency to respond/initiate a report, or provide that agency's contact information to the reporting party [this information/the name of the agency's representative will be documented in a Field Interview (FI)].
- If the agency is unknown, or the reporting party advises they contacted the appropriate agency but it is unknown if a report was completed, officers will complete an Incident Report (IR) ensuring Family Investigations Bureau (FIB), Child Crimes is selected for "Offense Element 2".
 - * A CACU detective will ensure the report is forwarded to the appropriate agency.
- (2) If the crime occurred in another jurisdiction (outside Maricopa County), officers will contact the appropriate agency and inquire how they would like the Department to proceed.
- The agency may request an IR to be completed or request CACU to assist with the initial investigation (contact CACU with questions or concerns).
- B. Patrol supervisors will contact the Crimes Against Children Unit (CACU) of the Family Investigations Bureau (FIB) during normal business hours or the Violent Crimes Bureau (VCB) desk sergeant after hours when any of the following circumstances exist:
- Child requires hospitalization as a result of suspected non-accidental trauma per attending physician
 - Child is a victim of wet or dry burns, such as from boiling water, cigarettes, or the stove
 - Search warrant is required to obtain evidence or process the crime scene
 - High-profile incident or person: for example, involving school or church personnel
 - Best interest of the Department
- C. Telephone Reference Numbers:

DCS Child Abuse Hotline	1-888-767-2445* (1-888-SOS-CHILD)
CACU	(602) 534-3200
FIB	(602) 534-2121
VCB desk sergeant	(602) 262-6141
Legal Unit	(602) 534-0126
* For the law enforcement only number, contact the VCB desk sergeant.	

D. Procedures When CACU Responds to Assume the Initial Investigation

- (1) CACU detectives will normally respond to assume the investigation of child abuse (day or night) involving the above circumstances.
- (a) The CACU supervisor and/or detective/s will respond to the hospital (if applicable) or request the responding officer/s to transport the victim to the Family Advocacy Center (FAC) for an interview and/or medical exam.
- After normal business hours, the CACU supervisor and/or detective/s will be called out to respond to the hospital/FAC.

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1. D. (1) (b) The officer who spoke directly to the reporting party will brief the CACU supervisor and/or detective/s and, at the direction of the CACU supervisor and/or detective, will document their involvement.

E. Procedures When CACU Does Not Respond to Assume the Initial Investigation

- (1) The initial Incident Report (IR) will be completed by patrol officers based on the information provided by the reporting party.
- (2) Digital photographs should be taken using a color chart to clearly depict any injuries, visible or not.
 - (a) A crime scene specialist should take photographs when the injuries are visible.
 - (b) A digital camera certified employee should take photographs when the injuries are not visible.

NOTE: To aid in prosecution, every effort to obtain photographs will be made (request via radio, request to another precinct, etc.).

- (3) Children may be interviewed in situations involving minor injuries.
 - Talk with the child in an environment where they feel safe.
 - Document the presence and identity of anyone present during the interview, such as a teacher or school nurse.
 - Ask who, what, when, and where using non-leading questions and phrases, such as "I heard something happened to you" or "Tell me about how you got hurt."
- (4) Patrol officers should conduct follow-up by interviewing witness/es and the suspect regarding the allegation.
 - Officers should consider asking for consent for seizure of instrumentality: for example, belt or wooden spoon.

* Impound any evidence including the Consent to Search Form 80-273D.

F. Documentation

- The same IR format listed in [Operations Order 7.29.00, Sexual Assault](#), should be followed.

2. **CHILD NEGLECT - ARS 13-3619 AND CONTRIBUTING TO THE DELINQUENCY - ARS 13-3613**

- A. The circumstances/situations that establish child neglect and contributing to the delinquency are very similar. The following circumstances/situations are not all inclusive but provide some examples:

- (1) The home is unfit - Factors include but are not limited to:
 - Pest infestation
 - Presence of human or animal excrement
 - Absence of electricity or running water
 - Non-working toilets, tubs, or showers
 - Age and physical condition of child/ren
 - Other situations which pose a threat to the health or welfare of the child/ren.
 - Absence of food, toiletries, or other necessities

NOTE: A dirty or messy house is not sufficient enough for establishing an unfit home.

2. A. (2) The child is without adult supervision or abandoned - Factors include but are not limited to:

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- Length of time child was left alone
- Age of child
- Any physical or mental disabilities of the child
- Time of day, weather conditions, hazards: for example, two (2) year-old walking near roadway during rush hour traffic

B. Initial Response for an Abandoned Child Incident

- (1) When an unidentified abandoned child is found wandering the streets or other public place, the first officer on scene will perform the following based on the circumstances of the child:
 - (a) Child unable to communicate due to age or disabilities:
 - Contact the child and determine if medical treatment is necessary
 - Notify a supervisor of the situation
 - Check with dispatch to see if any missing juvenile calls are holding
 - Request other units to help search the immediate area for the child's parent/guardian and/or any possible witnesses
 - (b) Child able to communicate:
 - Ask the child his/her name
 - Determine if medical treatment is necessary
 - Verify the child is not already listed as a missing juvenile
 - Ask the child if he/she knows where they live or if he/she can show you where they live
 - Check with dispatch to see if any missing juvenile calls are holding
 - Notify a supervisor of the situation
- (2) When an abandoned child is located in a private residence, officers should interview the reporting adult, the child (if appropriate), and evaluate any other available information to help locate the parent/guardian.
- (3) Supervisor's responsibilities:
 - (a) If the parent/guardian is not located in a relatively short amount of time, coordinate the activities of participating personnel to ensure a proper investigation is completed.
 - (b) Ensure all necessary information regarding the found child is shared with other agencies or jurisdictions (if appropriate).
 - (c) Ensure an accurate log or record is kept of persons and houses contacted, actions taken, and participating personnel.
 - (d) Contact a CACU supervisor who will coordinate with the public information officer (PIO) for possible release of a photograph to the media.
- (4) Once the parent/guardian is located, officers will determine if the situation requires the completion of an IR based on the criteria listed in sections 2.A. of this order.
 - If the situation does not fit the criteria listed in sections 2.A., officers should consider documenting the circumstances by completing an IR listing the child as an Other/Missing Person/Found.
- (5) If the parent/guardian cannot be located, officers will follow procedures for Foster Home/Shelter Placement as outlined in [Operations Order 7.8.00, Juvenile Procedures](#).

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2. C. Documentation

- (1) Document the scene in detail by thoroughly describing observations and other senses, such as smell (avoid vague descriptions such as “there was a foul odor”).

EXAMPLE: “There was a strong odor of cat feces and urine that was so foul and powerful it made officers gag/caused nausea/caused headaches, etc.”

- (2) Photographs of the victim/s and scene will be taken by a digital camera certified employee to support the observations to be documented in the IR.

NOTE: Due to the fact charges will not be filed without photographs, every effort to obtain photographs will be made (request via radio, request to another precinct, etc.).

- (3) Officers may issue an Arizona Traffic Ticket and Complaint (ATTC), in lieu of detention, for neglect and/or contributing to the delinquency to the suspect based on the factors determined at the scene.

- (4) Officers will notify DCS of the situation and document DCS history in the IR.

- D. Follow-Up - If information is developed relating to an open case, an Incident Supplement will be completed.

3. **DUTY TO REPORT**

- A. Per [ARS 13-3620](#), certain persons (includes peace officers) who reasonably believe a minor is or has been a victim of abuse, physical injury that appears to have been inflicted on the minor by other than accidental means, neglect and denial, or deprivation of medical or surgical care or nourishment of minors, must immediately report, or cause reports to be made of, this information to a peace officer, DCS, or tribal law enforcement or social services agency for any Indian minor who resides on an Indian reservation.

- Failure to report a non-reportable offense is a class 1 misdemeanor.
- Failure to report a reportable offense is a class 6 felony.

NOTE: Specific knowledge that the information has already been reported satisfies the obligation to report.

Last Organizational Review: